

## ARKANSAS COURT OF APPEALS

### PROCEEDINGS OF FEBRUARY 26, 2014

#### JOHN MAUZY PITTMAN, JUDGE:

[CV-13-657](#). Shawn Spanier v. Bryan McCormick, from Carroll County Circuit Court, Western District. Appeal dismissed without prejudice. Wynne and Brown, JJ., agree.

#### BILL H. WALMSLEY, JUDGE:

[CR-12-1027](#). Charles Stutte v. State of Arkansas, from Washington County Circuit Court. Affirmed. Gladwin, C.J., Wood and Brown, JJ., agree. Pittman and Hixson, JJ., dissent.

[CV-13-559](#). Bobby Jones v. Quality Furniture, from Phillips County Circuit Court. Dismissed. Gruber and Glover, JJ., agree.

#### BRANDON H. HARRISON, JUDGE:

[CV-13-938](#). Richard Weathers and Linda Vondran v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Eighth Division. Affirmed. Whiteaker and Wood, JJ., agree.

#### ROBIN F. WYNNE, JUDGE:

[CV-13-459](#). Rhonda Clegg and Charlene Sullivan Swaims v. Randall Sullivan and Carolyn Moore, from Faulkner County Circuit Court. Affirmed. Pittman and Brown, JJ., agree.

[CV-13-518](#). Ollye Robinson v. Kimberly Jones Miller, from Jefferson County Circuit Court. Rebriefing ordered. Pittman and Brown, JJ., agree.

#### RITA W. GRUBER, JUDGE:

[CV-13-679](#). Diamond State Insurance Company v. Dillion Rippey and Brenda Riley, from Bradley County Circuit Court. Affirmed. Glover, J., agrees. Walmsley, J., concurs.

[E-13-733](#). Merry Logan v. Director, Department of Workforce Services, and Delta Resource Center, from the Arkansas Board of Review. Reversed. Walmsley and Glover, JJ., agree.

#### DAVID M. GLOVER, JUDGE:

[CV-13-137](#). Jack Jones v. Charles McLemore and Roger McLemore from Jefferson County Circuit Court. Affirmed. Walmsley and Gruber, JJ., agree.

## ARKANSAS COURT OF APPEALS

### PROCEEDINGS OF FEBRUARY 26, 2014

#### PHILLIP T. WHITEAKER, JUDGE:

[CV-13-681](#). Stephen David Davenport v. Katherine Ann Davenport Uselton, from Sebastian County Circuit Court, Greenwood District. Reversed and remanded. Harrison and Wood, JJ., agree.

#### LARRY D. VAUGHT, JUDGE:

[CV-13-703](#). SMG 1054, Inc. v. James E. Thompson, from Randolph County Circuit Court. Remanded to settle and supplement the record; rebriefing ordered. Gladwin, C.J., and Hixson, J., agree.

#### KENNETH S. HIXSON, JUDGE:

[CV-13-475](#). Charles Smith v. Christina Hudgins, from White County Circuit Court. Affirmed. Gladwin, C.J., and Vaught, J., agree.

[CV-13-704](#). Donald D. Splawn and Tammy Splawn v. Barbara L. Wade, from Garland County Circuit Court. Reversed and remanded. Gladwin, C.J., and Vaught, J., agree.

#### WAYMOND M. BROWN, JUDGE:

[CV-13-77](#). Cherle Marie Duncan and Lloyd Leo Duncan v. Dr. Robert Olive, from Garland County Circuit Court. Affirmed. Pittman and Wynne, JJ., agree.

### PER CURIAM DECISIONS

The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

E-13-729. Teresa Dotson v. Director et al.

E-13-730. Crystal Stain v. Director et al.

E-13-732. Diane Locke v. Director et al.

E-13-734. Calvin Riggins v. Director et al.

E-13-735. Albert Young v. Director et al.

E-13-736. Irene Kelly v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 26, 2014**

- E-13-737. Betty Branch v. Director et al.
- E-13-738. Venisa Mackey v. Director et al.
- E-13-739. Reginald Moliere v. Director et al.
- E-13-740. Vincent Hill v. Director et al.
- E-13-741. Clarence Wilkins v. Director et al.
- E-13-742. Laura Fritzius v. Director et al.
- E-13-743. Pedro Delacruz v. Director et al.
- E-13-744. Joe Richmond v. Director et al.
- E-13-745. Charles Howard v. Director et al.
- E-13-746. Tommy Lloyd v. Director et al.
- E-13-747. Sharon Choctaw v. Director et al.
- E-13-748. Taja Williamson v. Director et al.
- E-13-749. Sheila Parker v. Director et al.
- E-13-750. Scarlett Lumley v. Director et al.
- E-13-752. Robert Campbell v. Director et al.
- E-13-753. Chris Sullivan v. Director et al.
- E-13-754. Philip Horton v. Director et al.
- E-13-755. Demetrius Cashmere v. Director et al.
- E-13-756. Jon Stricklin v. Director et al.
- E-13-757. Larry Schluterman v. Director et al.
- E-13-758. Weir Trucking, Inc. v. Director et al.

## **ARKANSAS COURT OF APPEALS**

### **PROCEEDINGS OF FEBRUARY 26, 2014**

- E-13-759. Jason Smith v. Director et al.
- E-13-760. Kathryn Borchardt v. Director et al.
- E-13-761. Jermane Streets v. Director et al.
- E-13-762. Melanie Shalmy v. Director et al.
- E-13-764. Laura Holtzclaw v. Director et al.
- E-13-765. Pamela Richey v. Director et al.
- E-13-766. Latoya Hopson v. Director et al.
- E-13-767. Rebecca Fannin v. Director et al.
- E-13-768. Gary Jasper v. Director et al.
- E-13-769. Misty Thrailkill v. Director et al.
- E-13-770. Jasmine Releford v. Director et al.
- E-13-771. Levi Mason v. Director et al.
- E-13-772. Laurie Smith v. Director et al.
- E-13-773. James Brown v. Director et al.
- E-13-774. Kenneth Andrews v. Director et al.
- E-13-775. David Bass v. Director et al.
- E-13-776. Damien Hammond v. Director et al.
- E-13-777. Metal Creations v. Director et al.
- E-13-778. Bentonville Storage v. Director et al.

## **ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 26, 2014**

### **PER CURIAM ORDERS**

CR-13-15. Tracy M. Standridge v. State of Arkansas, from Baxter County Circuit Court. Motion of David Bowden to be relieved as counsel for appellant is denied. Gruber, J., not participating.

CR-13-15. Tracy M. Standridge v. State of Arkansas, from Baxter County Circuit Court. Appellant's pro se motion to remove David Bowden and allow appellant to submit pro se brief to substitute brief previously submitted is denied. Gruber, J., not participating.

CR-13-435. Craig Steven Farrow v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney's fees is granted. Allowed \$1,800.00.

CR-13-682. Calvin Jerome Stover v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for reconsideration is denied.

CV-13-372. Guy Czajka v. Butterball Turkey, from the Arkansas Workers' Compensation Commission. Appellant's pro se motion for new trial. Appeal dismissed; motion moot.

CV-13-1015. Clay V. Jackson v. Charles Brooks Company, Inc., from the Arkansas Workers' Compensation Commission. Pro se petition for writ of mandamus and writ of certiorari is denied.

CV-13-1102. Tonie Atkinson v. Clifford Ledbetter and Margaret Ledbetter, from Garland County Circuit Court. Appellant's motion for stay and approval of supersedeas is denied.

**The following case is dismissed for failure to file briefs in accordance with Rule 4-5:**

CV-13-372. Guy Czajka v. Butterball Turkey, from the Arkansas Workers' Compensation Commission.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 26, 2014**

**MOTIONS SUBMITTED**

**PETITION FOR REHEARING:**

CR-13-513. Vanquisha Robinson v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division.

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CR-13-478. Garritt S. Mason v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion to file belated reply brief.

CR-13-914. Kendrick Hampton v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to supplement the record.

CR-13-1099. Terrell Wayne Hood v. State of Arkansas, from Faulkner County Circuit Court. Appellant's combined motion to remand to correct the record or alternative petition for certiorari to complete the record and motion to extend briefing schedule.

CR-14-103. Willie Porchia, Sr. v. State of Arkansas, from Ouachita County Circuit Court. Appellant's pro se motion for appeal bond, to modify bail bond, and for appointment of counsel.

CV-13-208. Minnie M. Coulter v. Honorable Joe Griffin et al., from Miller County Circuit Court. Appellant's pro se motion for writ of mandamus to set aside rebriefing ordered dated November 6, 2013 pursuant to rule 60(b) rules of civil procedure with brief incorporated.

CV-13-369. Tango Truck Services, Inc., et al. v. Herschel Skinner, from Arkansas Workers' Compensation Commission. Appellee's motion for attorney's fees.

CV-13-967. Champion Burks et al. v. Liberty Bank of Arkansas et al., from Garland County Circuit Court. Appellants' motion to supplement the record

CV-13-1041. Charles Wayne Davis v. Washington Regional Medical Center, from Washington County Circuit Court. Appellee's motion to dismiss appeal.

CV-13-1068. Paul Criswell v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Eighth Division. Appellant's pro se motion to appoint new counsel and for continuance.

## **ARKANSAS COURT OF APPEALS**

### **PROCEEDINGS OF FEBRUARY 26, 2014**

#### **CASES SUBMITTED**

CR-12-782. Tyrone James Campbell v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-13-204. Trenton Holley v. State of Arkansas, from Faulkner County Circuit Court.

CR-13-226. Darron Aikens v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-643. Blake H. Walden v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-13-817. T.N. v. State of Arkansas, from Miller County Circuit Court.

CV-13-804. Edward Steven Nix, Sr. v. Phyllis Diane Nix, from Sebastian County Circuit Court, Fort Smith District.

CV-13-822. Elvin B. Marks v. Leona I. Marks, from Jefferson County Circuit Court.

CV-13-883. Robert Dismute v. Potlatch Corporation, from the Arkansas Workers' Compensation Commission.

CV-13-952. Kassandra Horton v. Rhonda Freeman, from Mississippi County Circuit Court, Osceola District.

CV-13-983. Krystal Bohannon v. Edward Robinson, from Pulaski County Circuit Court, Seventeenth Division.

CV-13-999. Billy Hill and V&H Tire Service v. Cheyne Treadaway, from the Arkansas Workers' Compensation Commission.

CV-13-1029. Jennifer Ragsdale v. Arkansas Department of Human Services, from Lonoke County Circuit Court.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 26, 2014**

**CASES SUBMITTED**

**The following cases are appeals from the Arkansas Board of Review.**

- E-13-829. Kensly Hewlett v. Director et al.
- E-13-830. LaVaughn Pate v. Director et al.
- E-13-831. Jennifer Smith v. Director et al.
- E-13-832. Matthew Podgornik v. Director et al.
- E-13-833. Neema Suphan v. Director et al.
- E-13-834. Evelyn Hall v. Director et al.
- E-13-835. Sarah Reese v. Director et al.
- E-13-836. Keith Collins v. Director et al.
- E-13-837. Latoya Burns v. Director et al.
- E-13-838. Rachel Mahurin v. Director et al.
- E-13-839. Phillip Williams v. Director et al.
- E-13-840. Ronny Atkins v. Director et al.
- E-13-841. Synthia Jackson v. Director et al.
- E-13-842. Ashley Young-Wilson v. Director et al.
- E-13-843. Joyce A. Dunn v. Director et al.
- E-13-844. Okechukwu Maduoma v. Director et al.
- E-13-845. Alvin Tyrone Brewer v. Director et al.
- E-13-846. Jessica Upchurch v. Director et al.



**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 26, 2014**

**CASES SUBMITTED**

- E-13-847. Loretta Graham v. Director et al.
- E-13-848. Leslie Rose v. Director et al.
- E-13-851. Greg Carver v. Director et al.
- E-13-852. Larry Williams v. Director et al.
- E-13-853. Rosiland Davis v. Director et al.
- E-13-854. Donald Dykes v. Director et al.
- E-13-855. Brant Hoover v. Director et al.
- E-13-856. Dermecial Pounds v. Director et al.
- E-13-857. James Coy v. Director et al.
- E-13-858. Dominique Phillips v. Director et al.
- E-13-860. Tony Lee v. Director et al.
- E-13-861. Robert Jackson v. Director et al.
- E-13-862. Shawn Maddox v. Director et al.
- E-13-863. Ellen Beth Wilson v. Director et al.
- E-13-864. Thomas Edward Owens v. Director et al.
- E-13-865. Deborah Lee Romes v. Director et al.
- E-13-866. Evangella Shantel Tatum v. Director et al.
- E-13-867. Ronald DeClue v. Director et al.
- E-13-868. Brenda Ellis Engle v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 26, 2014**

**CASES SUBMITTED**

- E-13-869. David Hewitt v. Director et al.
- E-13-870. Adam E. Rutherford v. Director et al.
- E-13-871. Verdis Diamond v. Director et al.
- E-13-872. Ruben Smith v. Director et al.
- E-13-873. Nakkhaly Souriyasak v. Director et al.
- E-13-874. Talbert Fleming v. Director et al.
- E-13-875. Kelli Meyers Cormier v. Director et al.
- E-13-876. Tonya R. Bailey v. Director et al.
- E-13-877. Dwayne Price v. Director et al.
- E-13-878. Jeff Johnson v. Director et al.
- E-13-879. Dorothea S. Tillery v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>